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Request Form

Applicant's Name: Hofmann et al.

Serial No. (Control No.): 10/002,864 Examiner: Gakh

Filing Date: 11/15/01 Art Unit: 1743 Confirmation No.: 4789

Application Title: KARL FISCHER REAGENT

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Applicant Initiated Interview Request Form

Application No.: 10/002,864 First Named Applicant: Helga Hoffman
Examiner: Yelena G. Gakh Art Unit: 1743 Status of Application: Advisory Action
Mailed March 29, 2005

Tentative Participants:

(1) Examiner Gakh (2) Christopher M. Goff (Reg. No. 41, 785)

Proposed Date of Interview: April 25, 2005 Proposed Time: 2:00 (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rejection	1-9, 11-42	Scholz I Scholz II	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Claims 1-9 and 11-42 are patentable over Scholz I in view of Scholz II as these references fail to teach or suggest each and every element of the Applicant's claim 1 and there is no motivation to combine the references to arrive at the Applicant's claim 1. Neither reference teaches or suggests a ratio of imidazole to substituted imidazole of from about 0.3:2 to about 2:0.3. Additionally, one skilled in the art, reading the cited references, would not and could not be motivated to combine the Scholz I and Scholz II references to arrive at the Applicant's claim 1. Specifically, the Applicant's invention is directed to a one component Karl Fischer reagent for use in volumetric titrations, the reagent comprising iodine and a base comprising imidazole and substituted imidazole, wherein the molar ratio of imidazole to substituted imidazole is from about 0.3:2 to about 2:0.3. The Office has repeatedly stated that it would have been obvious to slightly modify the reagent disclosed in Scholz I by using a mixture of imidazole and its derivative proposed by Scholz II for coulometric reagent in volumetric reagents exclusively for purposes of optimizing reaction conditions. However, neither cited reference provides any guidance or suggestion of the ratios of imidazole to substituted imidazole. There are simply no ratios set forth in either cited reference to optimize, therefore how can the optimization of the ratios be considered obvious? Further, since there are no ratios disclosed in the references to optimize what, specifically, is being optimized? The Office has not presented a convincing line of reasoning as to why the references would have been combined by one of skill in the art.

Additionally, there is no teaching or suggestion in either reference that a combination of imidazole and substituted imidazole provides any benefit; let alone any benefit in a one component Karl Fischer reagent as claimed in claim 1. In contrast, the Applicants disclose throughout their specification that imidazole, when used without a substituted imidazole in a one component volumetric Karl Fischer reagent, is subject to forming undesirable precipitations or crystals of imidazolium sulfate, which can lead to problems in the flexible tube systems of the Karl Fischer apparatus. Neither reference notes this problem. Without noting a problem such as this with the use of imidazole alone in a one component Karl Fischer volumetric titration reagent, there is simply no motivation to combine the cited references. As such, claim 1 cannot be said to be obvious in view of these references.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.



(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)